

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:20-CR-00180-D-1

United States of America,

v.

Maurice Hemingway, a/k/a Maurice
Hemmingway, a/k/a Mario,

Defendant.

Order

The United States has charged Maurice Hemingway with possession with the intent to distribute a quantity of cocaine base (crack), possession of a firearm in furtherance of a drug trafficking crime, and possession of a firearm by a felon. Indictment, D.E. 1.

The court set Hemingway's arraignment for February 16, 2023. Hr'g Notice, D.E. 104. Shortly before his arraignment, Hemingway filed a motion for new counsel, believing his relationship with his attorney had irrevocably broken down. Mot. to Appoint New Counsel, D.E. 105. The court discussed this motion with Hemingway and his attorney, Bellanora McCallum, at the February 16 hearing and orally granted the motion (D.E. 105). *See* Minute Entry, D.E. 106. To memorialize the proceedings at the hearing, the court orders the following:

- The Federal Public Defender's office must appoint a new attorney to Hemingway within seven days from the date this order issues. McCallum's representation of Hemingway will terminate once a new attorney enters an appearance in his case.
- Hemingway's arraignment is rescheduled for the March 27, 2023, term.
- The delay in continuing Hemingway's arraignment from February 16 to March 27 shall not be included in any Speedy Trial Act computation because "the ends of justice served by" continuing his arraignment "outweigh the best interest of the public and the defendant

in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). A delay is necessary, considering the exercise of due diligence, to allow the newly appointed counsel a reasonable amount of time to prepare for the proceeding.

Dated: February 17, 2023

A handwritten signature in black ink that reads "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath it.

Robert T. Numbers, II
United States Magistrate Judge